

apply in a situation where you were violating the terms of your permit that was issued by the department. So what I am doing is essentially expanding the wording of Section 2, the penalty provision, to say as follows, "Any person violating the terms of a permit issued pursuant to Section 1 of this act, or otherwise violating Section 1 of this act, shall be guilty of a Class III misdemeanor." I don't change the penalty. I simply indicate that whether you are violating the actual statute terms or the terms of the permit, the penalty provision would apply.

SPEAKER NICHOL: Any further discussion on the proposal? Senator Warner.

SENATOR WARNER: Mr. President, Senator Beutler, I don't quite understand what happens if your amendment is not adopted?

SENATOR BEUTLER: Senator Warner, can you hear me, Senator Warner?

SENATOR WARNER: Now I can.

SENATOR BEUTLER: Okay. If my amendment is not adopted then I have serious questions as to whether you could use Section 2 to prosecute a person who violated the terms of their permit.

SENATOR WARNER: Okay.

SPEAKER NICHOL: Senator Beutler, would you like to close? Senator Beutler. Senator Beutler, would you like to close, please.

SENATOR BEUTLER: Yes. Once again, Mr. Speaker, members of the Legislature, all I am doing is broadening Section 2 so that it applies not only to the specific provisions of Section 1 but to any permits, to the terms of any permits issued pursuant to Section 1 so that a violation of either the permit or the statutory provisions in Section 1 would come under the Class III misdemeanor provision. Let me give you an example. It says that the Department of Roads may issue permits. Then on down here it says in line 8, "such permit shall specify the maximum allowable width." Under Section 2, as it is right now, I have some serious questions as to whether if they intentionally ignored the allowable